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ABSTRACT

Legislation permitting the teaching of reproductive health in Michigan schools mandates that the State Board of Education establish approval criteria for those who will be supervising instructional programs in sex education, determine certification requirements for those teaching classes in sex education, and establish guidelines for the review and recommendation of materials to be used in teaching family planning, reproductive health and the recognition, prevention, and treatment of venereal disease. Certified teachers must have preparation in the biological and behavioral sciences, as well as in sex education and health education. Content areas which must be covered by law are reproductive health, sex education, family planning, human sexuality, family life, venereal disease, fetology, marital information, and genetic information. An advisory board should be established by the school district board to periodically review the materials and the methods of instruction used. Appendices to this document include a copy of PA 226 of 1977, school laws relating to health education in Michigan public schools, and a copy of the notice sent to parents regarding the implementation of sex education courses into the school curriculum. (Authors/LH)

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SEX EDUCATION GUIDELINES, INCLUDING REPRODUCTIVE HEALTH AND FAMILY PLANNING

Michigan Department of Education

1978

SP 015 040

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INTRODUCTION

On November 30, 1977, Governor Milliken signed into law PA 226 of 1977 which now makes legal programs of instruction in reproductive health, including family planning, in the public schools of Michigan. It is this statute which required the State Board of Education to draft guidelines for implementation.

The State Board of Education has been directed to engage in a variety of activities, including (1) the establishment of approval criteria for those supervising instructional programs in reproductive health; (2) determination of certification requirements for those teaching classes in reproductive health, including family planning; and (3) the establishment of guidelines to be used in teaching reproductive health, family planning, and the recognition, prevention, and treatment of venereal disease.

A local school district that chooses to provide instruction in the areas of reproductive health and family planning has the option of adopting guidelines established by the State Board of Education or developing its own guidelines. If a local school district chooses to develop its own guidelines, however, this shall be done in cooperation with the intermediate school district and the county or district department of public health.

The areas of reproductive health, family planning, and venereal disease are important aspects of the sex education program which are essential to a comprehensive school health education curriculum. This presents many challenges to school educators, health professionals, and parents of local communities. The home, church, school, and community all have vital roles to play if effective programs are to be made available to Michigan youth.

1977 was an historic year in Michigan with the passage of Act 226. This offers leaders in Michigan education an opportunity to develop programs of instruction in reproductive health, family planning, and venereal disease that can make a significant contribution to the growth and development of Michigan youth.

The primary legal responsibility for carrying out the provisions of the Act has been delegated to the Department of Education in cooperation with the Departments of Public Health, Mental Health, and Social Services. A Special Task Force involving health and medical professionals, health educators, teachers, administrators, and other state agency personnel was selected to complete the tasks outlined above. Professional consultation was provided by the Health Education Referent Group. The draft guidelines were received and approved by the directors of the Departments of Public Health, Mental Health, and Social Services.

Recent amendments to the Administrative Procedures Act require that guidelines to be issued by state agencies must be submitted to various individuals and organizations for a period of at least 30 days for public comment. In compliance with this state law, the public comment period was authorized by the State Board of Education on April 5, 1978.

At the end of the public comment period which was extended until May 15, 1978, the guidelines were reviewed again, necessary revisions made from review of all public comments, and the document was presented to the State Board of Education on July 11, 1978, for final approval.

These guidelines have been developed in response to the legislation and the increasing interest expressed by parents, school, and community leaders. The local school district and its community can adapt and develop a local program within the general framework established by these guidelines.

We wish to express our sincere appreciation to Dr. John A. Romas, Health Education Specialist, who coordinated statewide activities pursuant to PA 226 of 1977, and all the health and education professionals who spent countless hours preparing these guidelines. We also wish to acknowledge Ms. Patricia F. Noeker for all her valuable clerical assistance and long hours spent typing the guideline drafts.

John W. Porter
Superintendent of Public Instruction

July, 1978

part 1

IMPLICATIONS OF PA 226 of 1977[1]

The recently enacted legislation permitting the teaching of reproductive health in our schools mandates that the State Board of Education (1) establish approval criteria for those who will be supervising instructional programs in sex education, (2) determine certification requirements for those teaching classes in sex education including "family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life", and (3) establish guidelines for the review and recommendation of materials to be used in teaching family planning, reproductive health, and the recognition, prevention, and treatment of venereal disease.

Michigan has a long history of enacting laws relating to the health of the school child.[2] PA 220 of 1977 now permits programs of instruction in reproductive health, including family planning, in the public schools of Michigan. The amendments provide that such programs "shall be supervised by a registered physician, a registered nurse, or other person certified by the State Board as qualified." In addition, pupils shall be excused from attending classes in which the subject of reproductive health, including family planning, is under discussion upon the written request of a pupil or the pupil's parent or guardian, and no penalty or loss of academic credit will be imposed if a pupil is excused.

The State Board of Education has been mandated to provide guidelines in the areas of reproductive health, family planning, and the recognition, prevention, and treatment of venereal disease. The Board may also review and recommend materials to be used in teaching these areas. It is also required that guidelines be formulated in cooperation with Departments of Public Health, Mental Health, and

Social Services within 180 days after the effective date of the Act. A school district that provides instruction in this area shall adopt guidelines, either those established by the State Board, or its own guidelines developed in cooperation with its intermediate school district and its county or district department of public health.

The statute states that "the teaching of sex education, sex hygiene, or reproductive health as permitted under sections 1506 and 1507 before the enactment of this subdivision shall be permitted to continue pending the development of the guidelines required by this subdivision." School districts having programs in which sex education and human sexuality as provided by Section 1501 of the School Code of 1976 (PA 451 of 1976) may continue this instruction under the provisions of Section 1501. If reproductive health, including family planning is to be added to a program of instruction, however, provisions of Sections 1506 and 1507 of the School Code, as amended by PA 226 of 1977, must be implemented.

School districts which choose to develop their own guidelines are, however, bound by the approval criteria for teachers and supervisors, the establishment of a local advisory board, and must adhere to a parent notification procedure approved by the State Board of Education. Local school districts that have adopted their own guidelines shall notify the Department of Education and shall file a copy with the Department of Education.

Handling Student Questions Related to Birth Control

The previous provision in the law prohibiting giving any information on birth control has been repealed by the current legislation (PA 226 of 1977). This, then, raises the issue of staff response to questions on birth control within school settings in situations other than in a class, program, or course of instruction in reproductive health. Local school district policy on dealing with such issues should be applied.

[1]PA 226 of 1977 found in Appendix A.
[2]School Laws Related to Health found in Appendix B.

part 2

TEACHERS AND SUPERVISORS OF PROGRAMS

It may be of value for local school districts to consider the following areas of importance in selection of prospective teachers:

1. that the individual recognize the need for education in human sexuality at all levels of our society,
2. that the individual be prepared academically,
3. that the individual possess the personal commitment and skill to develop honest and sincere relationships with the students, and
4. that the individual be interested and willing to teach in the area of human sexuality.

Teachers of sex education should be familiar with growth and development throughout the life cycle, sensitive to the emotional, physical, and intellectual needs of the students, and comfortable with their own sexuality.

Pre-service and staff development programs should be designed to increase a teacher's competencies in teaching methods, utilization of available materials and resources, and command of subject matter related to human sexuality and family life education.

Persons within the community who can offer invaluable assistance in staff development include medical and health professionals, college and university faculty, and members of the clergy. Consultation from the Departments of Education, Public Health, Mental Health, and Social Services, and intermediate school districts can also offer assistance.

A. *Approval Criteria for Elementary and Secondary Teachers*

As stated in Section 1507 (1) of the law "A board of a school district may engage qualified instructors and provide facilities and equipment for instruction in sex education, including family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of venereal disease." Section 1507 (5) further states that "a school district that provides a class as permitted above shall offer the instruction by teachers qualified to teach health education."

Teachers who possess a valid Michigan teaching certificate in health education (major or minor) are qualified to teach sex education and reproductive health provided they meet the approval criteria listed below. Other teachers in an area closely related to health education may also qualify to teach sex education and reproductive health by meeting the approval criteria listed below.

The following criteria shall be used by the local board of education in determining the selection of teachers in reproductive health, including family planning, at the local school district level.

Professional Preparation

Any elementary and secondary teacher who teaches in the area of reproductive health, including family planning, shall possess a valid Michigan teaching certificate. In addition, each teacher shall meet all of the approval criteria listed below which includes professional preparation in the biological and behavioral sciences, sex education content areas, and health education content areas.

1. Professional preparation shall include study in the biological and behavioral sciences. Such study shall include at least six (6) semester hours of approved undergraduate or graduate course work from among the following: human biology, anatomy, physiology, human heredity or genetics, bacteriology, psychology, mental health, sociology, or cultural anthropology.
2. Professional preparation shall include study in sex education content areas which shall be approved by the Department of Education. Such study shall include:
   a. at least two (2) semester hours of approved undergraduate or graduate course work in sex education, human reproduction, family planning, marriage and

family relations, human sexuality, family life education, or a combination of the above,

or

b. the completion of a Department of Education approved twenty (20) clock hours of in-service in sex education, human reproduction, family planning, marriage and family relations, human sexuality, family life education, or a combination of the above.

3. Professional preparation shall include study in special health education content areas. Such study shall include at least two (2) semester hours of approved undergraduate or graduate course work from among the following: growth and development, personal health, community health, the school health program, school health problems, or health problems of children and youth.

A local school district superintendent may submit a letter of recommendation to the Department of Education requesting temporary (one-year) approval of a prospective teacher of reproductive health, including family planning, who does not meet the above criteria. The Department of Education shall determine the approval status of each temporary (one-year) recommendation and respond to each requesting school district in writing. This temporary approval may be renewed only once.

It is strongly recommended that teachers of reproductive health, including family planning, continuously update their information. This may be done through the Professional Development Activities Program approved by the Department of Education.

Professional Development Activities

Any elementary or secondary teacher who teaches in the area of reproductive health, including family planning, shall be professionally prepared to teach in this special health area and shall be approved by the Department of Education for such instruction.

Professional development activities shall include at least twenty (20) clock hours of inservice in sex education, human reproduction, family planning, marriage and family relations, human sexuality, family life education, or a combination of the above.

Professional development activities in this area offered by colleges and universities, intermediate school districts, professional development centers, community health agencies, professional associations, and educational consulting organizations shall be approved by the Department of Education.

B. *Approval Criteria for Supervisors*

The statute provides that "A program of instruction in reproductive health shall be supervised by a registered physician, registered nurse, or other person certified by the state board (of education) as qualified."

Supervisors shall be selected by the local board of education. It is strongly recommended that the background and training of supervisors be considered in the selection process. This background and training should be in human sexuality, family planning, or related area.

The supervisor may be a physician or registered nurse licensed to practice in Michigan. Other persons who may qualify as supervisors include individuals who meet the approval criteria outlined for teachers of sex education with three (3) years of experience in health education instruction or related areas. Supervisors may be selected from the local or intermediate school district or community.

A local school district superintendent shall submit a letter of recommendation outlining the qualifications of the supervisor to the Department of Education. The Department of Education shall determine the approval status of each recommendation and respond to the requesting school district in writing.

Supervision usually implies responsibility associated with the organization and improvement of instruction. In some cases the supervisor's assignment might be broader in scope and incorporate responsibility for the entire elementary and secondary instructional program. The role of the supervisor is to (1) coordinate the activities of the advisory board, (2) identify health needs of students, (3) outline the program objectives, and (4) help to evaluate the teaching-learning process for improvement of instruction. The supervisor works with teachers and school staff in selection and use of learning materials and resources.

part 3

ESTABLISHING AN ADVISORY BOARD

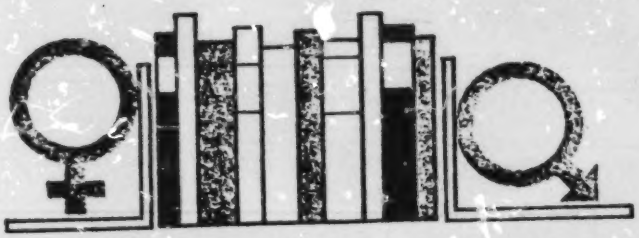
A school district offering and teaching a new program of instruction in reproductive health, including family planning, shall establish an advisory board pursuant to PA 226 of 1977. As stated in the statute, the advisory board shall consist of the following:

- parents having children attending the district's schools
- pupils in the district's schools
- educators (e.g. administrators, teachers, professional staff)
- local clergy
- community health professionals
- other interested citizens may be included

The advisory board shall periodically review materials and methods of instruction and make recommendation to the district regarding changes in the materials and/or methods of instruction. The advisory board may also review state and local guidelines pursuant to PA 226 of 1977 and make recommendations to the local board of education. A local school district has the option to adopt guidelines established by the State Board of Education or shall establish its own guidelines. If local guidelines are adopted, this shall be done in cooperation with its intermediate school district and its county or district department of public health.

The role of the advisory board shall be determined by the local board of education. In addition to the required review of materials and methods of instruction, the local board of education may wish to authorize the advisory board to: (1) function as liaison between school and community, (2) assess local needs and reaction, and (3) foster understanding and acceptance of the program.

The advisory board should work closely with the school in the formation and implementation of this program. Their input and active support represents the key factor in making this a viable program.



part 4

DEVELOPING THE PROGRAM OF INSTRUCTION IN REPRODUCTIVE HEALTH, FAMILY PLANNING, AND VENEREAL DISEASE

A. *Philosophy*

The Michigan State Board of Education recognizes the importance of a program of instruction in reproductive health, family planning, and venereal disease. Better understanding and acceptance of one's individual sexuality, interpersonal relationships, family roles, and personal responsibility are important reasons for carrying out programs of instruction in this area.

The school is in a unique position in the community to offer the most carefully planned sequential program of instruction for children and youth as part of a comprehensive school health education curriculum. A program in reproductive health within the schools should supplement and support the teaching of parents.

The program of instruction should remain flexible in makeup, general in content, and broad in scope.

The program of instruction is intended to:

— complement, not challenge, the parental and home training
— affirm the rights of the parents to become involved in the education of their children
— encourage open dialogue among home, school, and community
— stress informed decision-making based on factual information and a better understanding of the attitudes and beliefs of others

B. *Goals and Objectives*

Responsible personal decision-making is the goal of a program of instruction in reproductive health and family planning. Information, understanding, and problem-solving skills are the key elements in such a program. Objectives should be developed to:

1. provide accurate information and understanding of human anatomy and physiology, growth and development, reproduction, and family planning,
2. promote an attitude of respect and responsibility to life and reproduction of life, and
3. develop an understanding of the concepts of reproductive health, family planning, contraception, and human sexuality, including psychological and emotional patterns, social and family roles, norms of society.

C. *Definition of Content Areas*

This section defines the following content areas which are in the law. The intent is that these definitions serve as guides in developing a program of instruction related to each content area. These definitions are not all inclusive, nor should the program of instruction be limited to the information provided.

1. *Reproductive Health*

"As used in subsection (1) and sections 1507 and 1508, reproductive health means that state of an individual's well-being which involves the reproductive system and its physiological, psychological, and endocrinological functions."

—Involves the individual's developing awareness of ones own reproductive system and the responsibility associated with sexual maturity. Along with the factual information this section should include the psychological and sociological factors influencing the individual.

—Includes concepts relating to an (a) understanding of the individual's development (i.e. biological drives/social pressures), and (b) individual responsibility for informed decision-making.

2. *Sex Education*

—Section 1501 of the School Code of 1976 (PA 451 of 1976) defines "Sex education is the preparation for personal relationships between the sexes by providing appropriate

educational opportunities designed to help the individual develop understanding, acceptance, respect and trust for himself and others. Sex education includes the knowledge of physical, emotional and social growth and maturation, and understanding of the individual needs. It involves an examination of man's and woman's roles in society, how they relate and react to supplement each other, the responsibilities of each towards the other throughout life and the development of responsible use of human sexuality as a positive and creative force."

—Includes concepts relating to (a) informed decision-making, (b) peer pressures, and (c) sex roles.

3. *Family Planning*

—As stated in Section 1507 and 1508 of the statute "family planning means the use of a range of methods of fertility regulation to help individual or couples avoid unwanted pregnancies, bring about wanted births; regulate the intervals between pregnancies; and plan the time at which births occur in relation to the age of parents."

—Includes concepts relating to the various means of family planning (natural, chemical, surgical, and mechanical), their effectiveness, risks involved, and the changing social patterns associated with their use.

—As indicated in the statute "Clinical abortion shall not be considered a method of family planning, nor shall abortion be taught as a method of reproductive health."

4. *Human Sexuality*

—Involves the study of an individual's sexual development with the needs and pressures associated with this process of growth.

—Includes concepts relating to (a) a range of social norms, (b) individual needs, (c) common misconceptions, (d) female and male roles, (e) human sexual behavior, and (f) physical growth and development and its influence on sexuality.

5. *Family Life*

—Involves the emotional, physical, psychological, hygienic, economic, and social aspects of the human family and the family's relationship to humankind.

—Includes concepts relating to child development and skills of parenthood.

6. *Venereal Disease*

—Involves the recognition, prevention, and treatment of syphilis and gonorrhea; and may include discussion of the other sexually transmitted diseases.

—As used in Section 1507 of the statute, instruction in sex education may also include the subjects of reproductive health and the recognition, prevention, and treatment of venereal disease.

—If venereal disease education is not included in the program of instruction in sex education as stated in Section 1507, the law requires that it be included elsewhere in the school curriculum.[3]

—Includes concepts relating to (a) responsibility toward others, and (b) taking responsibility for the consequences of one's actions.

7. *Fetology*

—Involves the study of the development of the fetus.

—Includes concepts relating to factors affecting fetal development.

8. *Marital Information*

—Involves the study of issues and decision-making processes associated with marital relationships.

—Includes concepts relating to marriage and family relationships.

9. *Genetic Information*

—Involves the study of inherited characteristics and the biological mechanisms associated with the transmission of individual and group traits.

—Includes concepts relating to principles of human heredity and health.

[3]Section 1169 of the School Code of 1976 (PA 451 of 1976) and Section 1, Venereal Disease Act (MCL § 329.151).

D. *Selection of Materials and Methods of Instruction*

According to the Act "A school district shall not offer this instruction unless an advisory board is established by the district board to periodically review the materials and methods of instruction used, and to make recommendations to the district regarding changes in the materials and methods of instruction used. . ."

The materials to be used in the program should be selected in accord with local board policies. Some questions that may be of help in review and evaluation of materials include the following:

1. Do the instructional materials relate to program objectives?
2. Do the instructional materials relate to the experiences of the student?
3. Are the instructional materials accurate and up-to-date?
4. Are the instructional materials appropriate to the developmental level and readiness of learners?
5. Are the instructional materials interesting and attractive?
6. Are the costs appropriate?
7. Are there other learning aids that will accomplish the objectives more effectively?
8. Will resources be readily available to assist the teacher in using the instructional material? If so, are such resources available?

Some questions that may be helpful in the review and evaluation of methods of instruction include the following:

1. Do the instructional methods relate to the objectives and developmental level of learners?
2. Are there some other instructional methods that might do the job better?
3. Do the instructional methods have too many limitations in terms of: skills needed by the teacher, facilities available, time allotment, and cost?
4. Are the instructional methods in keeping with the abilities or the learner's level of maturity and previous experiences?
5. Do the instructional methods provide for attitudinal development and affective learning?
6. Are the instructional methods compatible with present policies of the local school?

7. Can the instructional methods be evaluated in terms of their effectiveness?

8. Are resource persons carefully selected and advised of school policy regarding their participation?

Regional Educational Media Centers (REMC) may be consulted through the Intermediate School Districts (ISD) to help in the review, selection, evaluation, and in some instances, the development of materials.

Section 1507 of the statute states that "A person shall not dispense or otherwise distribute in a public school a family planning drug or device." Each local school district that provides a program of instruction in reproductive health, including family planning, should develop policies and procedures for the display, use, and control of instructional materials in the classroom and for examination by parents and community.

part 5

IMPLEMENTING THE PROGRAM OF INSTRUCTION

A. *Suggested Sequence of Program Approval and Procedures for Implementation*

1. Secure administrative and school board approval.
2. Appoint a local advisory board.
3. Identify prospective supervisor and teaching staff (see Approval Criteria).
4. Adopt State guidelines or develop local guidelines in cooperation with intermediate school district and local or district health department.
5. Assess present instructional program.
6. Establish district-wide goals and objectives.
7. Select and organize content and material for program of instruction.
8. Determine needs of school staff for inservice education.
9. Screen and review available resources.
10. The advisory board reviews the program of instruction. The board may sponsor a public presentation of the program, materials, and methods of instruction used. The advisory board monitors comments from the public and may suggest revisions in the proposed program of instruction.
11. The local school board receives final product after input from various groups. The board authorizes the superintendent to implement the program.
12. Assign supervisor and teaching staff to the program.

13. Parents of children who may be enrolled in the class are notified of their right to review the program and materials, and of their right to excuse their child from the class or course of instruction. If a parent or pupil requests to be excused in writing, the pupil shall be excused from the class without penalty.

14. The program of instruction may now be implemented.

15. Program is evaluated regularly with periodic reviews by the advisory board as well as periodic opportunities for review of materials by parents.

B. Procedures for Parent Notification[4]

As stated in the statute "A pupil shall not be enrolled in a class in which the subjects of family planning or reproductive health are discussed unless the pupil's parent or guardian is notified in advance of the course and the content of the course and is given a prior opportunity to review the materials to be used in the course and is notified in advance of his right to have the pupil excused from the class. The State Board shall determine the form and content of the notice required in this subsection."

The notice to parents shall be in written form and shall be sent to all parents of students who may be scheduled to attend the class or course of instruction. This notice shall be sent each school year to advise the parents of their right to review course materials, and shall further inform them of their right to excuse their child without penalty.

Under the law, no notification of students is required. However, the student has the right to elect not to participate and must indicate so in writing.

[4]Refer to Appendix C.

APPENDIX A
PA 226 of 1977

Act No. 226
Public Acts of 1977
Approved by Governor
November 30, 1977

State of Michigan
79th Legislature
Regular Session of 1977

Introduced by Reps. Collins, Bullard, Harrison, Joseph F. Young, Virgil C. Smith, Barcia, Hollister, Jondahl, Conroy, Vaughn, Cushingberry, Edwards, Clodfelter, Holcomb, Ryan, Mary C. Brown, McNamee, Forbes, Elliott and Morris W. Hood, Jr.

ENROLLED HOUSE BILL NO. 4425

AN ACT to amend sections 1503, 1506, 1507, 1508 and 1531 of Act No. 451 of the Public Acts of 1976 entitled as amended "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and classify the laws relating to elementary and secondary education; to provide for the classification, organization, regulation, and maintenance of schools, school districts, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, and intermediate school districts; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to provide for and prescribe the powers and duties of certain boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal certain acts and parts of acts," being sections 380.1503, 380.1506, 380.1507, 380.1508 and 380.1531 of the Compiled Laws of 1970.

The People of the State of Michigan enact:

Section 1. Sections 1503, 1506, 1507, 1508 and 1531 of Act No. 451 of the Public Acts of 1976, being sections 380.1503, 380.1506, 380.1507, 380.1508 and 380.1531 of the Compiled Laws of 1970, are amended to read as follows:

Sec. 1503. (1) The board of a school district having a pupil membership of more than 1,000 shall engage qualified instructors and provide the necessary places and equipment for instruction and training in health and physical education. Other boards of education may make provisions for health education and physical education.

(2) This section shall not be construed to authorize compulsory physical examination or compulsory medical treatment of pupils.

(3) A school district offering a course in health education or physical education shall engage qualified instructors for that instruction.

Sec. 1506. (1) A program of instruction in reproductive health shall be supervised by a registered physician, a registered nurse, or other person certified by the state board as qualified. Upon the written request of a pupil or the pupil's parent or guardian, a pupil shall be excused, without penalty or loss of academic credit, from attending classes in which the subject of reproductive health is under discussion.

(2) As used in subsection (1) and sections 1507 and 1508, "reproductive health" means that state of an individual's well-being which involves the reproductive system and its physiological, psychological, and endocrinological functions.

Sec. 1507. (1) A board of a school district may engage qualified instructors and provide facilities and equipment for instruction in sex education, including family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of venereal disease.

(2) The class described in subsection (1) shall be elective and not a requirement for graduation.

(3) A pupil shall not be enrolled in a class in which the subjects of family planning or reproductive health are discussed unless the pupil's parent or guardian is notified in advance of the course and the content of the course and is given a prior opportunity to review the materials to be used in the course and is notified in advance of his right to have the pupil excused from the class. The state board shall determine the form and content of the notice required in this subsection.

(4) Upon the written request of a pupil or the pupil's parent or guardian, a pupil shall be excused, without penalty or loss of academic credit, from attending the class described in subsection (1).

(5) A school district that provides a class as permitted by subsection (1) shall offer the instruction by teachers qualified to teach health education. A school district shall not offer this instruction unless an advisory board is established by the district board to periodically review the materials and methods of instruction used, and to make recommendations to the district regarding changes in the materials or methods. The advisory board shall consist of parents having children attending the district's schools, pupils in

the district's schools, educators, local clergy, and community health professionals.

(6) As used in this section and section 1508, "family planning" means the use of a range of methods of fertility regulation to help individuals or couples avoid unwanted pregnancies; bring about wanted births; regulate the intervals between pregnancies; and plan the time at which births occur in relation to the age of parents. It may include the study of fetology. It may include marital and genetic information. Clinical abortion shall not be considered a method of family planning, nor shall abortion be taught as a method of reproductive health.

(7) A person shall not dispense, or otherwise distribute in a public school a family planning drug or device.

Sec. 1508. The state board shall:

(a) Aid in the establishment of educational programs designed to provide pupils in elementary and secondary schools, institutions of higher education, and adult education programs wholesome and comprehensive education and instruction in sex education.

(b) Establish a library of motion pictures, tapes, literature, and other education materials concerning sex education available to school districts authorized to receive the materials under rules of the state board.

(c) Aid in the establishment of educational programs within colleges and universities of the state and inservice programs for instruction of teachers and related personnel to enable them to conduct effective classes in sex education.

(d) Recommend and provide leadership for sex education instruction established by school districts including guidelines for family planning information.

(e) Establish guidelines and may review and recommend materials to be used in teaching family planning, reproductive health, and the recognition, prevention, and treatment of venereal disease. The guidelines established pursuant to this subdivision shall be formulated in cooperation with the departments of public health and mental health, and the state department of social services. The guidelines shall be established within 180 days after the effective date of this subdivision. A school district that provides instruction as permitted by section 1507 may adopt the guidelines established by the state board or shall establish its own guidelines in cooperation with its intermediate school district and its county or district department of public health. Family planning shall not be taught in a school district until the guidelines as required by this subdivision have been established by the state board or the local school district. However, the teaching of sex education, sex hygiene, or reproductive health as permitted under sections 1506 and 1507 before the enactment of this subdivision shall be permitted to continue pending the development of the guidelines required by this subdivision.

Sec. 1531. (1) The state board shall determine the requirements for and

issue all licenses and certificates for teachers, and the requirements for and endorsement of teachers as qualified counselors in the public schools of the state.

(2) The state board shall certify as qualified the supervisors required in section 1506. The state board shall certify teachers as qualified to teach the class described in section 1507 (1), based upon the recommendation of a teacher training institution, upon an evaluation of the teacher's educational qualifications and experience, and upon any additional requirements the state board considers necessary.

This act is ordered to take immediate effect.

APPENDIX B
School Laws Related to Health Education in the Schools

CURRENT CITATIONS

1. Certification of School Nurses — Section 1252 of Public Act 451 of 1976 (MCL § 380.1252)

2. Alternative Education Programs for Pregnant Students — Section 1301 of Public Act 451 of 1976 (MCL § 380.1301)

3. Communicable Disease, Instruction — Section 1169 of Public Act 451 of 1976 (MCL § 380.1169)

4. Critical Health Problems Education Act — Public Act 226 of 1969 (MCL § 388.381 to 388.385) and Section 1170 of Public Act 451 of 1976 (MCL § 380.1170)

5. Sex Education, definition — Section 1501 of Public Act 451 of 1976 (MCL § 380.1501)

6. Health and Physical Education — Section 1502 of Public Act 451 of 1976 (MCL § 380.1502)

7. Reproductive Health, Family Planning and Venereal Disease — Sections 1503, 1506, 1507, 1508, and 1531 of Public Act 451 of 1976 (MCL §§ 380.1503, 380.1506, 380.1507, 380.1508, and 380.1531)

APPENDIX C
Notice to Parents

The local school district shall use the written notice provided below to notify parents. Local school districts may wish to attach additional material to the notice.

_____ _____

NAME OF SCHOOL DATE

_____

ADDRESS

_____

The Board of Education has established a program of instruction entitled _____

CLASS OR COURSE OF INSTRUCTION

in which matters relating to family planning and birth control will be taught.

According to law (PA 226 of 1977) you have the right to review the materials to be used in the class or course of instruction. The local board of education, in compliance with the statute, has made the materials available for your review. If you wish, please contact the school at _____ to make arrangements for review of the materials.

TELEPHONE NO.

Your child is eligible to participate in this class or course of instruction. By law you have the right to excuse your child from participation if you choose. If you wish to exercise your right to excuse your child, without penalty from instruction in reproductive health, including family planning, please send written notice to _____

_____

Sincerely,

Superintendent of Schools
(or designated representative)

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